

## § 93.900

## 9 CFR Ch. I (1–1–16 Edition)

Administrator may prescribe to prevent the introduction of ectoparasites into the United States.

(Approved by the Office of Management and Budget under control number 0579–0020)

[52 FR 29502, Aug. 10, 1987; 52 FR 35350, Sept. 18, 1987, as amended at 57 FR 23049, June 1, 1992; 59 FR 67133, Dec. 29, 1994. Redesignated at 62 FR 56012, Oct. 28, 1997, as amended at 64 FR 23179, Apr. 30, 1999]

### Subpart I—Aquatic Animal Species

SOURCE: 71 FR 51435, Aug. 30, 2006, unless otherwise noted.

#### § 93.900 Definitions.

Wherever in this subpart the following terms are used, unless the context otherwise requires, they shall be construed, respectively, to mean:

*Administrator.* The Administrator, Animal and Plant Health Inspection Service, or any person authorized to act for the Administrator.

*Animal and Plant Health Inspection Service.* The Animal and Plant Health Inspection Service of the United States Department of Agriculture (APHIS).

*APHIS representative.* A veterinarian or other individual employed by the Animal and Plant Health Inspection Service, United States Department of Agriculture, who is authorized to perform the services required by this part.

*Certifying official.* An individual authorized by the competent authority of a country to sign health certificates for aquatic animals.

*Competent authority.* The national veterinary services or other authority of a country, having the responsibility and competence for ensuring or supervising the implementation of aquatic animal health measures.

*Container.* A transport receptacle that is specially constructed to facilitate transportation of aquatic animals or aquatic animal products by one or several means of transport.

*Department.* The United States Department of Agriculture (USDA).

*Fertilized egg.* A viable fertilized ovum of an aquatic animal.

*Gamete.* The sperm or unfertilized egg of aquatic animals that is held or transported separately.

*Inspector.* An employee of the Animal and Plant Health Inspection Service authorized to perform duties required under this subpart.

*Person.* Any individual, corporation, company, association, firm, partnership, society or joint stock company.

*Port veterinarian.* A veterinarian employed by the Animal and Plant Health Inspection Service to perform duties required under this subpart at a port of entry.

*Region.* Any defined geographic land area identifiable by geological, political, or surveyed boundaries. A region may consist of any of the following:

(1) A national entity (country);

(2) Part of a national entity (zone, county, department, municipality, parish, Province, State, etc.);

(3) Parts of several national entities combined into an area; or

(4) A group of national entities (countries) combined into a single area.

*Spring viremia of carp (SVC).* A disease caused by infection with spring viremia of carp virus, a rhabdovirus capable of infecting several carp species, in addition to some other cyprinid and ictalurid fish species.

*SVC-susceptible species.* Common carp (*Cyprinus carpio*), grass carp (*Ctenopharyngodon idellus*), silver carp (*Hypophthalmichthys molitrix*), bighead carp (*Aristichthys nobilis*), Crucian carp (*Carassius carassius*), goldfish (*Carassius auratus*), tench (*Tinca tinca*), and sheatfish (*Silurus glanis*).

*United States.* All of the States of the United States, the District of Columbia, Guam, Northern Mariana Islands, Puerto Rico, the Virgin Islands of the United States, and all other territories and possessions of the United States.

#### § 93.901 General restrictions; exceptions.

(a) No live fish, fertilized eggs, or gametes of SVC-susceptible species may be imported into the United States except in accordance with this subpart,<sup>11</sup> nor shall any such live fish,

<sup>11</sup> The importation of live cultures of SVC virus, preserved SVC virus viral RNA or DNA, tissue samples containing viable SVC virus, or other specimens intended for diagnostic or research purposes and which contain viable SVC virus may be imported only

fertilized eggs, or gametes be moved from the port of entry after arrival until released by the port veterinarian; provided that the Administrator may, upon request in specific cases, allow the importation of SVC-susceptible live fish, fertilized eggs, or gametes under conditions other than those set forth in this subpart when the Administrator determines that such movement will not result in the introduction of SVC into the United States.

(b) Other provisions of this subpart relating to the importation of live fish, fertilized eggs, and gametes shall not apply to shipments of SVC-susceptible species of live fish, fertilized eggs, or gametes in transit through the United States if an import permit has been obtained under § 93.903 and all conditions of the permit are observed; and if the live fish, fertilized eggs, and gametes are handled as follows:

(1) They are maintained under continuous confinement while in transit through the United States aboard an aircraft, ocean vessel, or other means of conveyance; or

(2) They are unloaded, in the course of such transit, into a holding facility<sup>12</sup> that is provided by the carrier or its agent and has been approved by the Administrator in accordance with paragraph (b)(4) of this section as adequate to prevent the spread within the United States of any finfish disease; they are maintained there under continuous confinement until loaded aboard a means of conveyance for transportation from the United States; and are maintained under continuous confinement aboard such means of conveyance until it leaves the United States.

(3) They are moved in accordance with any additional conditions prescribed in the permit and determined by the Administrator to be necessary to ensure that the live fish, fertilized eggs, or gametes through the United States do not introduce SVC into the United States.

under permit in accordance with 9 CFR part 122.

<sup>12</sup>Requests for approval of such facilities should be made to the Animal and Plant Health Inspection Service at the address provided in § 93.903 for permit applications.

(4) For a holding facility to be approved by the Administrator:

(i) The holding facility must be sufficiently isolated to prevent direct or indirect contact of the live fish, fertilized eggs, or gametes it contains with any other SVC-susceptible species in the United States;

(ii) The holding facility must be constructed to provide adequate protection against environmental conditions and so that it can be adequately cleaned, washed and disinfected;

(iii) Provision must be made for disposal of fish carcasses, shipping water, waste and any associated shipping materials in a manner that will prevent dissemination of disease;

(iv) Provision must be made for adequate sources of feed and water and for attendants for the care and feeding of live fish, fertilized eggs, or gametes in the facility;

(v) The holding facility must comply with all applicable local, State and Federal requirements for environmental quality.

(vi) The holding facility must comply with any additional requirements that may be imposed by the Administrator for a particular shipment if necessary to prevent the dissemination of disease.

(Approved by the Office of Management and Budget under control number 0579-0301)

[71 FR 51435, Aug. 30, 2006; 71 FR 54552, Sept. 15, 2006]

**§ 93.902 Ports designated for the importation of live fish, fertilized eggs, and gametes.**

(a) The following ports are designated as ports of entry for live fish, fertilized eggs, and gametes of SVC-susceptible species imported under this subpart:

(1) *Air and ocean ports.* Los Angeles and San Francisco, CA; Miami and Tampa, FL; Atlanta, GA; Honolulu, HI; Chicago, IL; Boston, MA; Newark, NJ; New York, NY; Portland, OR; Dallas-Ft. Worth, TX; and San Juan, PR.

(2) *Canadian border ports.* Detroit, MI; Buffalo-Niagara, NY; and Blaine and Seattle, WA.

(3) *Mexican border ports.* Otay Mesa, CA.